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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/728,107	11/30/2000	Dean Hiller	11324/10	4526

7590

03/15/2004

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EXAMINER

YUSSUF, SAJID

ART UNIT

PAPER NUMBER

2141

DATE MAILED: 03/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/728,107

Applicant(s)

HILLER ET AL.

Examiner

Sajid A Yussuf

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 November 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claim(s) 1-4, 6-11, 13-16, 18-21, 23-26, 29, 30 is/are rejected under 35 U.S.C. 102(b) as being anticipated by Byford et al. (US Patent No. 5,909,671 and Byford hereinafter)

4. As per claim(s) 1,8,15,20,25 Byford discloses a user-specific website where a website request is made for the user-specific website, (See Column 3 Lines 19-30) and at least one phone number is associated with the user-specific website, the system comprising, (See Column 2 Lines 15-35): a phone call receiving device, (See Column 2 Lines 15-35); and a phone number detection device, (See Column 2 Lines 15-35); wherein: the website request is performed at a system website, establishing a website claim to the user-specific website, (See Column 4 Lines 1-15); and the website claim is confirmed by calling into the phone call receiving device, where at least one phone number is verified by the phone number detection device, (See Column 3 Lines 1-18).

5. As per claim(s) 2,9 Byford teaches the claimed invention as described in claim(s) 1 & 8 above and furthermore discloses the website claim is completed (i.e., accessed) by acceptance of the user-specific website by phone, (See Column 3 Lines 19-30).

6. As per claim(s) 3,10 Byford teaches the claimed invention as described in claim(s) 1-2 & 8-9 above and furthermore discloses the website request is performed by completing an electronic form (i.e., specifying geographic location) at the system website, (See Column 2 Lines 62-67 & Column 3 Lines 1-7).

7. As per claim(s) 4,11,16,21 Byford teaches the claimed invention as described in claim(s) 1-3, 8-10, 15, 20 above and furthermore discloses the website claim is valid for a pre-defined length of time (i.e., duration of access), (See Column 5 Lines 50-60).

8. As per claim(s) 6,13,18,23,26 Byford teaches the claimed invention as described in claim(s) 1-5, 8-12, 15-17, 20-22, 25 above and furthermore discloses the confirmation of the website claim also requires the entrance of a personal identification number, (See Column 2 Lines 50-54).

9. As per claim(s) 7,14,19,24 Byford teaches the claimed invention as described in claim(s) 1-6, 8-13, 15-18, 20-23 above and furthermore discloses the personal identification number is provided to a user at the system website upon establishing the website claim, (See Column 5 Lines 1-35).

10. As per claim(s) 29 Byford discloses performing a website request at a system website to establish a website claim to the user-specific website, (See Column 3 Lines 15-35); and sending a personal identification number to a phone call data receiving device in response to the website request, (See Column 5 Lines 1-35).

11. As per claim(s) 30 Byford teaches the claimed invention as described in claim(s) 29 above and furthermore discloses completing the website claim by accessing the system website and entering the personal identification number, (See Column 2 Lines 50-54).

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

Determining the scope and contents of the prior art.
Ascertaining the differences between the prior art and the claims at issue.
Resolving the level of ordinary skill in the pertinent art.
Considering objective evidence present in the application indicating obviousness or nonobviousness.

14. Claims 5,12,17,22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Byford et al. (US Patent No. 5,909,671 and Byford hereinafter) in view of Bathrick et al. (US Patent No. 5,280,581 and Bathrick hereinafter).

15. As per claim 5,12,17,22 Byford discloses the claimed invention as described above.

However, Byford does not explicitly teach at least one phone number may also be verified by asking a user for the at least one phone number, disconnecting, and calling the user back at the at least one phone number..

Bathrick teaches at least one phone number may also be verified by asking a user for the at least one phone number, disconnecting, and calling the user back at the at least one phone number, (See Column 1 Lines 50-67 & Column 2 Lines 1-17).

Therefore it would have been obvious to a person having ordinary skill in the art at the time of Applicant's invention to modify the teaching of Byford with the teachings of Bathrick to include at least one phone number may also be verified by asking a user for the at least one phone number, disconnecting, and calling the user back at the at least one phone number with the motivation to provide for permitting the user to remotely change the registered telephone number for himself such

that the host computer system can dial-back to the current location of the user... users the call back feature to protect itself from unauthorized intrusion, (See Bathrick Column 2 Lines 17-29).

16. Claims 27,28,31,32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Byford et al. (US Patent No. 5,909,671 and Byford hereinafter) in further view of Einbinder et al. (US Patent No. 5,896,512 and Einbinder hereinafter).

17. As per claim(s) 27,28,31,32 Byford discloses the claimed invention as described above.

However, Byford does not explicitly teach the phone call data receiving device is a call paging device and the phone call data receiving device is a facsimile device.

Einbinder teaches the phone call data receiving device is a call-paging device and the phone call data receiving device is a facsimile device, (See Column 1 Lines 29-50).

Therefore it would have been obvious to a person having ordinary skill in the art at the time of Applicant's invention to modify the teaching of Byford with the teachings of Einbinder to include the phone call data receiving device is a call paging device and the phone call data receiving device is a facsimile device with the motivation to provide for a network interface card or adjunct module which can reliably allow at least one telecommunications terminal to interact via a single connection with a communication network that carries both the computer data and telecommunications traffic, (See Einbinder Column 1 Lines 62-67); wherein at least one telecommunications terminal is interpreted as being either a call paging device or facsimile device either being network capable or the usual POTS configurable in order to provide the user versatility in obtaining desired information.

Conclusion

18. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Ehlinger et al. (US Patent Application Publication No. 2001/0012350) discloses Method and apparatus for facilitating internet access from a telecommunications network;

- b. Fullarton et al. (US Patent Application Publication No. 2002/0031211) discloses Telephone system with programmable line appearances;
 - c. Ishikawa (US Patent No. 6,038,602) discloses connection method fro a network system and a server computer;
 - d. homma (US Patent Application Publication No. 2002/0026489) discloses method of transferring message received and stored in the absence of the user; and
 - e. Imazu et al. (US Patent Application Publication No. 2002/0087892) discloses an authentication method and device;
19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sajid A Yussuf whose telephone number is (703) 305-8752. The examiner can normally be reached on Monday-Thursday 7:30-5:00 PM and Alternate Fridays.
- If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (703) 305-4003. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.
- Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Sajid Yussuf
Patent Examiner
Technology center 2100
5 March 2004

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PRIMARY EXAMINER